THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.5842 of 1997

Dated 02-02-2007

Between:
K.R.Mohan & others.

..... PETITIONERS

AND

The Executive Officer, TTD, Tirupathi.

.....RESPONDENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.5842 of 1996

O R D E R:

The petitioners claim parity with the employees working in the Electrical and Water Works department of Tirumala Tirupathi Devasthanam (hereinafter referred to as 'T.T.D') and with the typists, stenographers and steno-typists with regards payment of risk allowance.

While it is admitted in the counter affidavit that in the meeting with the Joint Council of Action held on 16,19,20-09-1986, the demand for sanction of risk allowance of Rs.75/- to the Radio and Broadcasting section was accepted, it is stated that the claim of the petitioners for sanction of special allowance, on par with the staff working in the Electrical and Water Works department in which the work involved technical job evolution and the nature of duties and responsibilities involving risk element, was not tenable. It is also stated that these are all matters involving policy decision, especially financial liability and that the T.T.D has to obtain approval of the Government. Respondents would state that this special allowance of Rs.75/- was sanctioned to the staff of Water Works and Electricity department with effect from 01-09-1983 as a special case in view of their hard work and successful completion of P.P.V. drinking water scheme in a record time. It is stated that since the work of typists, stenographers and steno-typists was arduous in nature and was a specific addition to their work and responsibility, they were sanctioned this special pay of risk allowance. In the impugned order dated 19-03-1996 it is stated that the Government, in G.O.Rt.No.1633, dated 27-11-1985, had accorded the special allowance of Rs.75/- to employees working in the Water Works and Electricity department of T.T.D. with effect from 01-09-1983 as a special case and that the Government, in G.O.Ms.No.75, dated 25-03-1987, had, in consideration of the arduous nature of duties and as it was in

specific addition to their work and responsibility, sanctioned special allowance to typists, stenographers and steno-typists.

Sri T.Balaji, learned counsel for the petitioners, would submit that the work involved in the radio and broadcasting section is also arduous in nature and since the T.T.D. is involved in broadcasting, all along the steps from Tirupathi to Tirumala the employees of the radio and broadcasting section have to walk the entire distance in discharge of their duties. According to the learned counsel, the work of employees of the radio and broadcasting section is more arduous than those working in the Water Works and Electricity department and of typists, stenographers and steno-typists.

It must not be lost sight of that the amount of Rs.75/- p.m. is a special pay. While it is true that the work discharged by employees of the radio and broadcasting section is not identical to the work discharged by employees in the Electrical and Water Works department or that of typists, steno-typists and stenographers, the ground on which they were denied payment of this special allowance does not stand to reason. If the employees of the Electrical and Water Works department were paid special allowance for early completion of the project, payment of this allowance could have been justified to those involved in completion of the project. There cannot, however, be any justification in extending the special allowance of Rs.75/- to the employees in the Electrical and Water Works department, who were not involved in the completion of the project or were appointed thereafter. Similarly, extending the benefits to typists, stenographers and steno-typists is sought to be justified on the plea that the work discharged by them is arduous in nature. No reasons are given as to how the work of typists, stenographers and steno-typists is more arduous than those employees working in the radio and broadcasting section. The reasons given in

justification of denying the special allowance of Rs.75/- p.m. to employees of the radio and broadcasting section of T.T.D., does not merit acceptance.

The fact, however, remains that it is for the T.T.D. to decide, for just and valid reasons, as to whether the benefit of special allowance given to employees working in the Electrical and Water Works department and typists, steno-typists and stenographers should be extended to the employees of the radio and broadcasting section and as to whether the employees of the radio and broadcasting section are entitled for parity in treatment.

Sri T.Balaji, learned counsel for the petitioners, would also point out that certain employees in the radio and broadcasting section are continued to be paid this allowance of Rs.75/- p.m. pursuant to the interim orders of this Court and they are being paid this amount till date.

Sri A.K.Jayaprakash Rao, learned standing counsel for the T.T.D., would submit that the amount being paid to employees of the radio and broadcasting section was pursuant to the interim orders passed by this Court and it was made clear that the payment would be subject to the result of the writ petition. Learned counsel would express ignorance as to the position on date since the counter affidavit was filed by the T.T.D. in the year 1998.

As these are all matters for the T.T.D. to examine, it would meet the ends of justice if the petitioners are permitted to submit a detailed representation to the respondent-T.T.D. within a period of four weeks from the date of receipt of a copy of this order and the T.T.D Trust Board is directed to take an appropriate decision, in accordance with law, within a period of three months thereafter. The decision of the T.T.D. Trust Board along with the reasons in support thereof shall be communicated to the petitioners within the aforesaid period

of three months.

The Writ Petition is accordingly disposed of. No order as to costs.

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02-02-2007

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